

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RONALD E. DUDLEY,	:	Case No. 3:13-cv-58
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Michael R. Merz
vs.	:	
	:	
JASON BUNTING, Warden,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORTS AND
RECOMMENDATIONS OF THE MAGISTRATE JUDGE (Docs. 14, 17, 22);
(2) OVERRULING PETITIONER'S OBJECTIONS (Docs. 15, 19, 25);
(3) DISMISSING PETITIONER'S PETITION WITH PREJUDICE (Doc. 2);
(4) DENYING ANY REQUESTED CERTIFICATE OF APPEALABILITY; AND
(5) CERTIFYING THAT APPEAL WOULD NOT BE TAKEN IN GOOD FAITH**

This case is before the Court on the Reports and Recommendations of the United States Magistrate Judge Michael R. Merz. (Docs. 14, 17, 22). The Magistrate Judge concludes that Petitioner's Petition for Writ of Habeas Corpus should be dismissed with prejudice, that a certificate of appealability should be denied and that the Court should certify to the Sixth Circuit that any appeal would not be taken in good faith. Petitioner filed Objections to the Reports and Recommendations. (Docs. 15, 19, 25). Respondent did not respond to Petitioner's Objections and the time for doing so has expired. The issues presented are now ripe for review.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and has considered the issues presented *de novo*. Based upon the reasoning and citations of authority set forth in

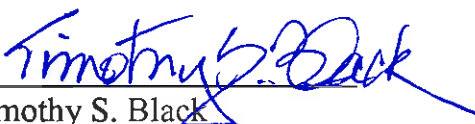
the Magistrate Judge's Reports and Recommendations (Docs. 14, 17, 22), the Court: (1) **ADOPTS** the Reports and Recommendations of the Magistrate Judge (Doc. 2, 5) in their entirety; (2) **OVERRULES** Petitioner's Objections (Docs. 15, 19, 25); (3) **DENIES** and **DISMISSES** Petitioner's Petition for Writ of Habeas Corpus (Doc. 2) with prejudice; (4) **DENIES** any request for a certificate of appealability under 28 U.S.C. § 2253(c); and (5) **CERTIFIES** that any appeal would be objectively frivolous and **DENIES** any request for leave to appeal *in forma pauperis*.

This case shall be **TERMINATED** on the Court's docket.

IT IS SO ORDERED.

Date: _____

1/10/14



Timothy S. Black
United States District Judge